

SENATE FILE NO. SF0038

Nursing education.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to nursing education programs; establishing  
2 a Wyoming investment in nursing program as specified;  
3 specifying eligibility criteria; providing procedures for  
4 application, administration and repayment of loans under  
5 the Wyoming investment in nursing program as specified;  
6 providing for appeals; requiring the Wyoming community  
7 college commission to coordinate the development and  
8 implementation of a mobile licensed practical nurse  
9 education program as specified; requiring the commission to  
10 coordinate internet or similar proprietary or common  
11 carrier electronic system courses to meet prerequisites for  
12 entry into nursing programs as specified; specifying  
13 conditions under which the Wyoming community college  
14 commission and the University of Wyoming shall fund  
15 additional teaching positions in nursing education

1 programs; providing appropriations; and providing for an  
2 effective date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 9-2-123 is created to read:

7

8 **9-2-123. Wyoming investment in nursing loan and grant**  
9 **program; eligibility criteria; procedures.**

10

11 (a) There is created the Wyoming investment in  
12 nursing program administered by the Wyoming higher  
13 education assistance authority created under W.S.  
14 21-16-703. The program shall be known as the WYIN program.  
15 Applicants may apply for grants or loans from the WYIN  
16 program in accordance with this section.

17

18 (b) To qualify for a loan or grant under the WYIN  
19 program, the applicant shall first:

20

21 (i) Be accepted into a nursing education program  
22 at a Wyoming community college, the University of Wyoming,  
23 or, in the case of a candidate for a doctoral degree, an  
24 institution providing the required nursing education

1 courses under contract with the western interstate  
2 commission for higher education; and

3

4 (ii) Apply for federal financial  
5 assistance. Wyoming community colleges shall allow  
6 students who apply for admission into an approved nurse  
7 aide training or nursing education program, and who will  
8 enroll in fewer than six (6) academic credit hours, to  
9 apply for federal financial assistance.

10

11 (c) Subject to the availability of funds appropriated  
12 for this program, loans under the WYIN program may be  
13 granted to applicants enrolled or planning to enroll in  
14 nursing education programs as follows:

15

16 (i) An applicant who is accepted into a Wyoming  
17 licensed practical nurse or registered nursing education  
18 program may be eligible for a loan to pay the costs of  
19 attendance at the licensed practical nursing education  
20 program or the registered nursing education program.  
21 Students who complete a licensed practical nursing  
22 education program at a Wyoming community college shall be  
23 deemed to have completed all first year nursing education  
24 program requirements for a registered nursing education

1 program leading to an associate's degree offered at the  
2 Wyoming community college which awarded the license  
3 practical nurse certificate;

4  
5 (ii) A registered nurse with a baccalaureate  
6 degree who holds an unencumbered license with the Wyoming  
7 board of nursing, has the equivalent of at least two (2)  
8 years of full-time, continuous service in Wyoming as a  
9 registered nurse with a baccalaureate degree and is  
10 accepted into a Wyoming nursing education program at the  
11 University of Wyoming leading to a master's degree in  
12 nursing may be eligible for a loan to pay the costs of  
13 attendance at the nursing education program leading to a  
14 master's degree in nursing;

15  
16 (iii) A registered nurse with a master's degree  
17 in nursing who holds an unencumbered license with the  
18 Wyoming board of nursing, has the equivalent of at least  
19 two (2) years of full-time, continuous service in Wyoming  
20 as a registered nurse with a master's degree in nursing and  
21 is accepted into a nursing education program at an  
22 institution providing the required nursing education  
23 courses under contract with the western interstate  
24 commission for higher education leading to a doctorate

1 level degree in nursing may be eligible for a loan to pay  
2 the costs of attendance at the nursing education program  
3 leading to a doctorate level degree in nursing.

4

5 (d) A nurse educator at a Wyoming community college  
6 or the University of Wyoming who is required to pursue an  
7 advanced degree for the purpose of satisfying accreditation  
8 requirements, may be eligible for both a loan and a salary  
9 replacement grant not to exceed the actual salary of the  
10 nurse educator at the time of entry into the advanced  
11 degree program.

12

13 (e) Except for a salary replacement grant under  
14 subsection (d) of this section, a grant or loan provided  
15 under this section shall not exceed the cost of attendance  
16 for the approved program, reduced by the amount of any Pell  
17 or other federal grant received by the applicant.

18

19 (f) A recipient of a WYIN loan under this section may  
20 repay the loan without cash payment by working in Wyoming  
21 as a nurse or nurse educator as provided in subsection (g)  
22 of this section. To qualify as repayment under this  
23 subsection, work shall be performed within the following  
24 time periods which begin with the calendar month following

1 the month in which the student completed the academic  
2 program:

3

4 (i) If the loan can be repaid with work of two  
5 (2) years or less, within three (3) years;

6

7 (ii) If the loan can be repaid with work of  
8 greater than two (2) years, but no more than four (4)  
9 years, within five (5) years;

10

11 (iii) If the loan can be repaid with work of  
12 greater than four (4) years, within the amount of time the  
13 loan could be repaid, plus two (2) years.

14

15 (g) Qualified work under subsection (f) of this  
16 section shall be credited so that the student's loan  
17 balance is reduced on the basis of one (1) year of full-  
18 time employment repaying the loan balance for one (1)  
19 academic year. Qualified work shall be credited on a  
20 proportional basis.

21

22 (h) Notwithstanding subsection (g) of this section,  
23 for a recipient of both a WYIN loan and a salary  
24 replacement grant, qualified work under subsection (f) of

1 this section shall be credited so that the student's loan  
2 balance is reduced on the basis of two (2) years of full-  
3 time employment repaying the loan balance for one (1)  
4 academic year. Qualified work shall be credited on a  
5 proportional basis.

6

7 (j) Any recipient of a WYIN loan who fails:

8

9 (i) To complete the academic program for which  
10 the loan was provided shall commence repayment of the loan  
11 no later than forty-five (45) days after the recipient  
12 leaves the academic program;

13

14 (ii) To obtain employment in the targeted  
15 occupation for which the person received the education  
16 within ninety (90) days after successfully passing the  
17 appropriate certification examination shall commence  
18 repayment of the loan within one hundred twenty (120) days  
19 after successfully passing the appropriate certification  
20 examination;

21

22 (iii) The appropriate certification examination  
23 on the first attempt may retake the appropriate  
24 certification examination at the next available opportunity

1 before commencing repayment of the loan. The recipient  
2 shall notify the Wyoming higher education assistance  
3 authority or its contractor of the intent to retake the  
4 examination and the date the examination will be taken. Any  
5 recipient of a WYIN loan who fails the appropriate  
6 certification examination after the second attempt shall  
7 commence repayment of the loan within forty-five (45) days  
8 after receipt of notification of the second failure by the  
9 board of nursing. If the recipient of a WYIN loan who fails  
10 the appropriate certification examination on the first  
11 attempt does not retake the examination at the next  
12 available opportunity, repayment shall commence within  
13 forty-five (45) days after the next available examination  
14 is conducted.

15

16 (k) Loan repayment options under this section may be  
17 deferred for a period not to exceed six (6) years while a  
18 loan recipient is serving on full-time active duty with any  
19 branch of the military services of the United States.

20

21 (m) The Wyoming higher education assistance authority  
22 shall have the powers and duties specified in W.S.  
23 21-16-705 to implement this section and shall establish

1 terms and conditions of loans issued under this section,  
2 including:

3

4 (i) Interest rates and loan terms;

5

6 (ii) The form and process for loan application,  
7 review and award;

8

9 (iii) Criteria under which students may be  
10 relieved from having to repay loans and interest thereon,  
11 in whole or in part, where the requirement to repay would  
12 cause undue hardship.

13

14 (n) Funding of the targeted loan program established  
15 under this section shall be by appropriation of the  
16 legislature. The authority shall transfer approved loan  
17 amounts to the university of Wyoming and to Wyoming  
18 community colleges at which loan recipients are enrolled.  
19 In consultation with the university and affected community  
20 colleges, the authority shall establish procedures for  
21 transferring loan amounts and for reporting requirements on  
22 the expenditure of transferred loan amounts.

23

1           (o) Repayment of loans and interest thereon shall be  
2 credited to the general fund.

3

4           (p) The authority shall annually review the targeted  
5 loan program established under this section and report to  
6 the governor and the legislature in accordance with W.S.  
7 9-2-1014, regarding program results, funds received and  
8 loans issued during the preceding academic year, together  
9 with the status of all outstanding loan commitments and  
10 repayments under the program.

11

12           **Section 2.** W.S. 21-17-107, 21-18-202(b) by creating  
13 new paragraphs (v) and (vi) and (c) by creating a new  
14 paragraph (vii) and 21-18-317 are amended to read:

15

16           **21-17-107. Legislature to make appropriations.**

17

18           (a) The legislature shall appropriate monies intended  
19 for the support and maintenance of the University of  
20 Wyoming. The appropriations shall specify the purposes for  
21 which the monies are intended and may be used. The  
22 appropriations shall apply to and include all monies  
23 received by the university from the United States for the  
24 endowment and support of colleges for the benefit of

1 agriculture and mechanic arts. No expenditure shall be  
2 made in excess of an appropriation, and no monies so  
3 appropriated shall be used for any purpose other than that  
4 for which they are appropriated.

5  
6 (b) Subject to appropriation by the legislature, the  
7 board of trustees shall fund an entry level teaching  
8 faculty position when the university expands its nursing  
9 program capacity by not less than eight (8) students. The  
10 university shall expend the funding under this paragraph  
11 only if enrollment in the nursing program of the university  
12 was not less than ninety-five percent (95%) of the total  
13 nursing program capacity at the beginning of the most  
14 recent fall academic semester. Funding available for  
15 expenditure under this paragraph for the specific purpose  
16 of expanding a nursing program capacity shall be reduced by  
17 an amount equal to that provided to fund one (1) entry  
18 level teaching position for every reduction of eight (8)  
19 full-time equivalent students in the nursing program, as  
20 determined by comparing the beginning enrollments of the  
21 two (2) most recent fall academic semesters. Any  
22 appropriation made for purposes of this subsection shall be  
23 accounted for and distributed separately from

1 appropriations made pursuant to subsection (a) of this  
2 section.

3

4 **21-18-202. Powers and duties of the commission.**

5

6 (b) The commission shall perform the following  
7 coordination functions. In performing these coordination  
8 functions all affected colleges and the commission shall be  
9 involved:

10

11 (v) Subject to appropriation by the legislature,  
12 coordinate the development and implementation of a mobile  
13 licensed practical nurse education program which shall  
14 provide appropriate educational services to students  
15 enrolled in a licensed practical nurse education program  
16 who are unable to attend classes at a community college  
17 campus, including:

18

19 (A) Reviewing applications for access by  
20 communities to the program;

21

22 (B) Establishing by rule and regulation the  
23 application, review and decision process by which

1 communities will be served and the order in which they will  
2 be served;

3

4 (C) Contracting with a Wyoming community  
5 college to provide the program established under this  
6 paragraph, giving due consideration to the community  
7 college with responsibility for the service area in which  
8 the community selected to host the program is located.

9

10 (vi) Coordinate the provision by means of  
11 electronic internet or similar proprietary or common  
12 carrier electronic system technology, by a community  
13 college or several community colleges, of all prerequisite  
14 courses necessary for entry into an educational program in  
15 the field of nursing at a community college or a  
16 baccalaureate degree program in nursing at the University  
17 of Wyoming.

18

19 (c) The commission shall perform the following  
20 administrative functions:

21

22 (vii) Subject to appropriation by the  
23 legislature, the commission shall fully fund an entry level  
24 teaching faculty position when a community college expands

1 its nursing program capacity by not less than eight (8)  
2 students. A community college shall be eligible to apply  
3 for the funding under this paragraph only if enrollment in  
4 the nursing program of the applicant institution was not  
5 less than ninety-five percent (95%) of the total nursing  
6 program capacity at the beginning of the most recent fall  
7 academic semester. Funding provided under this paragraph  
8 for the specific purpose of expanding a nursing program  
9 capacity shall be reduced by an amount equal to that  
10 provided to fund one (1) entry level teaching position for  
11 every reduction of eight (8) full-time equivalent students  
12 in the nursing program, as determined by comparing the  
13 beginning enrollments of the two (2) most recent fall  
14 academic semesters. Funding reductions shall not exceed the  
15 total amount of funding provided to a community college  
16 under this paragraph. Any appropriation made for purposes  
17 of this paragraph shall, in accordance with W.S.  
18 21-18-205(e), be accounted for and distributed separately  
19 from the funding allocation model for community colleges.

20

21 **21-18-317. Authority to provide educational program;**  
22 **scope and approval of program.**

23

1 The community college district board of any community  
2 college in this state may provide ~~the~~an educational  
3 program ~~education~~ in the field of nursing. The educational  
4 program shall be of ~~such~~the duration and intensity as may  
5 be deemed appropriate by the community college district  
6 board and the Wyoming state board of nursing and shall lead  
7 to an associate degree in nursing and prepare each student  
8 for licensure as provided by law. Approval of the Wyoming  
9 state board of nursing is required prior to the  
10 establishment of ~~any such~~the nursing education.

11

12 **Section 3.**

13

14 (a) There is appropriated five million seven hundred  
15 fifty-four thousand six hundred fifty dollars  
16 (\$5,754,650.00) to the Wyoming higher education assistance  
17 authority from the general fund for the biennium beginning  
18 July 1, 2002 to implement the provisions of W.S. 9-2-123.  
19 Any funds appropriated under this subsection that are not  
20 expended, encumbered or obligated at the end of the  
21 biennium shall revert to the general fund as provided by  
22 W.S. 9-4-207.

23

1           (b) There is appropriated from the general fund to  
2 the Wyoming community college commission one million one  
3 hundred two thousand seven hundred twenty-eight dollars  
4 (\$1,102,728.00) for the biennium beginning July 1, 2002, to  
5 implement the provisions of W.S. 21-18-202(b)(v).

6

7           (c) There is appropriated from the general fund to  
8 the Wyoming community college commission seven hundred  
9 fifty-six thousand six hundred fifty dollars (\$756,650.00)  
10 for the biennium beginning July 1, 2002, to implement the  
11 provisions of W.S. 21-18-202(c)(vii).

12

13           (d) There is appropriated from the general fund to  
14 the University of Wyoming one hundred thirty thousand  
15 dollars (\$130,000.00) for the biennium beginning July 1,  
16 2002, to implement the provisions of W.S. 21-17-107(b).

17

18           **Section 4.** This act is effective July 1, 2002.

19

20

(END)